

**MINUTES FOR THE SEMINOLE COUNTY  
LAND PLANNING AGENCY/PLANNING AND ZONING COMMISSION  
DECEMBER 5, 2007  
7:00 P.M.**

**Members present:** Matthew Brown, Dudley Bates, Walt Eismann, Rob Wolf, Melanie Chase, and Ben Tucker

**Member absent:** Kim Day

Also present: Dori DeBord, Director of Planning and Development; Alison Stettner, Planning Manager; Tina Williamson, Asst. Planning Manager; Ian Sikonia, Senior Planner; Cynthia Sweet, Senior Planner; Austin Watkins, Senior Planner; James Potter, Senior Engineer; Kathy Furey-Tran, Assistant County Attorney; and Candace Lindlaw - Hudson, Clerk to the Commission.

Chairman Brown called the meeting to order and led the meeting in the Pledge of Allegiance. The Chairman then introduced the commissioners present and noted the presence of Alison Stettner, new Planning Manager. He also reviewed the manner in which the meeting was to be conducted and the rules for voting.

**Commissioner Bates made a motion to accept the Proof of Publication of the legal ad for this meeting.**

**Commissioner Eismann seconded the motion.**

**The motion passed 6 – 0.**

**Commissioner Chase made a motion to accept the minutes of last month's meeting as submitted.**

**Commissioner Tucker seconded the motion.**

**The motion passed 6 – 0.**

**Technical Review Item:**

**A. Lake Mary Westin PSP; YRG Hotel Group, Rick Blackburn, applicant; 8.15 acres; Preliminary Subdivision Plan Approval for 2 lots zoned PUD (Planned Unit Development); located on the northwest corner of International Parkway and CR 46A.**

Commissioner Carey – District 5  
Cynthia Sweet, Senior Planner

Cynthia Sweet introduced the Preliminary Subdivision Plan for the Lake Mary Westin. The project is on 2 commercial lots covering 8.15 acres located on the northwest corner of International Parkway and SR 46A. This plan meets all criteria set forth in the Development Order and the approved Final Master Plan. Staff recommendation is for approval.

Chairman Brown noted the inclusion of 2 entrances on the plan.

**Commissioner Eismann made a motion to approve the plan.**

**Commissioner Bates seconded the motion.**

**The motion passed 6 – 0.**

**Public Hearing Items:**

**B. Silverleaf Park Large Scale Land Use Amendment and Rezone; KB Home Orlando LLC / Reed Berlinsky, applicant; 28.25± acres; Large Scale Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development) and Major Amendment to a PUD (Planned Unit Development); located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street. (Z2007-61 / 08S.FLU01)**

Commissioner Carey – District 5  
Ian Sikonia, Senior Planner

Mr. Sikonia stated that the applicant is requesting a large scale land use amendment from medium density residential to high density residential and a rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development). The subject property contains approximately 28.25 acres. The applicant is requesting the Large Scale Future Land Use Amendment to allow for a multi-family residential development at a maximum density of 20 dwelling units per net buildable acre. This property was previously approved on May 10, 2005 and known as NW 46 PUD, which consisted of a townhome and condominium project allowing a maximum of 400 units. The proposed Silverleaf PUD is essentially creating a new PUD while maintaining some of the previous conditions of the NW 46 PUD. The NW 46 PUD allowed for a maximum of 400 units while the proposed PUD is allowing for a maximum of 558 units, which is an increase of 158 units. The Silverleaf PUD is increasing the approved maximum building height of 35 feet or two stories to 50 feet or 3 stories. They are also maintaining the same permitted uses of condominium, townhomes, and adding multi-family rental units to the Development Order. The Silverleaf PUD is removing conditions from the previous Development Order regarding minimum house size, lot width, setback and other design related conditions to allow for

more flexibility when designing the final master plan. The proposed PUD seems to allow for more local housing options for the prospective and existing citizens of Seminole County due to the proximity of Interstate 4 and the numerous employment centers located in nearby Heathrow, Lake Mary, and Sanford.

Mr. Sikonia recommended changes to the proposed Development Order: Condition C will have added "and with allowable open space within the property." The final version to read: "This will be accomplished by amenitizing the existing retention pond and with allowable open space within the property." Condition O: remove "located and / or" to read "Mechanical units shall be screened to prevent visibility from North Oregon St. or adjoining single family development." Condition S will add the words "except in the designated screened area which shall be determined at time of final master plan." Revised wording on S to read: "Parking of boats, trailers, and recreational vehicles shall be prohibited within the development except in the designated screened area which shall be determined at time of final master plan."

Mr. Sikonia said that Staff recommendation was for transmittal of the requested Large Scale Land Use Amendment from MDR to HDR and rezone from PUD to PUD.

Steve Coover spoke on behalf of KB Homes. He asked to address the questions from commissioners and public following public comment.

Dr. Ira Swartzberg of 5336 Lake Bluff Terrace stated that he is the President of the Lake Forest Home Owners Association. He is opposed to the request. This request does not provide adequate transition from HDR to single-family homes. He pointed out changes in water, sewer and traffic. Water requirements are going up either 40% or 77%. The numbers are differing within the report. Sewer and traffic changes differ in figures from increases of between 40% and 76%, depending what part of the report is being read. There is no public schools recommendation. This will exceed the capacity of the schools. Building height of 50 feet will have new residents looking down on the backyard of the single-family homes. Dr. Swartzberg said that he needed more information on the areas of discrepancy in the staff report.

Steve Devine of 689 Tree Line Place spoke for the Lake Forest HOA Board. He stated that Lake Forest HOA is opposed to the request. The current Medium Density is most compatible. They do not want the Comprehensive Plan changed. 3 story rental apartments are a significant change from the current planned use. Lake Forest is a Low Density residential development that has 732 homes on 520 acres bordering the west side of the subject property. The subject property is about 28 acres, 8 acres of which is comprised of the lake, leaving about 20 acres to build on. The density is going to be very high on the usable land. Mr. Devine said that the applicant can use the pond/borrow pit as usable

land for net buildable acres to calculate the 558 units. That is a significant difference between what Lake Forest is and the subject property.

Secondly, Mr. Devine said that traffic was a consideration in the area. The Oregon Street intersection has a significant delay at the SR 46 now. The realignment of the interstate will come in near Oregon Street, adding to traffic in the area. Traffic will back up across the off ramp. Mr. Devine said that a better transportation study was needed for the intersections and delays.

Mr. Devine pointed to the future development along SR 46 – townhomes, retail, offices – all going in the area near Oregon/SR 46 intersection.

Mr. Devine looked at the tables in the transportation report, noting the net impact of the increase of 1800 trips per day.

Mr. Devine said the condition of the schools should be corrected before more is put upon them.

No one else spoke from the audience.

Steve Coover said that the major question seems to be about transitions and buffering. There is a berm along Oregon Street that appears to be 30 to 40 feet tall. He questioned whether the top of the proposed buildings would be visible from Lake Forest because of the height of the berm. The Development Order - Paragraph 3X - proposes that the Developer will mitigate any problems that occur with the Oregon intersection on SR 46.

Mr. Coover said that they have requested concurrency on the property to be deferred. The school system anticipates a drop in enrollment within the next 5 years. The School Board does not plan any improvements in the area due to the projected drop in enrollment. He will wait until the concurrency has to be met. There is nothing concrete about the school figures.

Charles Madden spoke on the traffic issue. He said that the level of service on Oregon now and in the future will be Level of Service "A." That is the best rating you can get for a roadway. He is prepared to alter the intersection on SR 46 during the time of final construction plans. Lake Forest will not be able to see this development. He has agreed to build a 6-foot wall along the right-of-way on Oregon Street, screening buildings and mechanical devices.

Mr. Madden said that he had been told by public utilities that there is adequate water for the project.

Mr. Coover said that this location is a prime place for apartments. He can not do much else there.

Commissioner Brown asked if the Lake Forest PUD has more than single-family residences in it, on other tracts.

Tina Williamson said that it was entirely single-family residential and within the 530 acres.

Commissioner Brown noted that the school report put the northwest cluster capacity at 101.2% and the high school at 102.8%. State guidelines deem a school as overcrowded once it reaches 110%. This is a ludicrous situation.

Commissioner Bates said the conditions may change for those conditions in the future.

**Commissioner Chase made a motion to recommend transmittal of the Large Scale Land Use Amendment with the changes noted in the Development Order and rezone from PUD to PUD subject to staff findings.**

**Commissioner Eismann seconded the motion.**

Commissioner Tucker stated that he will be voting against the motion. This is not transitional. Oregon Street is a 2-lane road and will be a continuing problem. He took the same position in 2005. The sound barrier wall along the Interstate should be addressed in the documents.

Commissioner Brown said that the wall was taken out with the rental property provisions being put in.

Commissioner Wolf said that he has a concern about the transitions and the net density. He will vote against this.

Commissioner Bates said that this is overloading the area infrastructure. He is opposed.

Commissioner Chase said that this is adjacent to I-4 and a large Chevrolet dealer. There has to be places for people to live in apartments.

Commissioner Eismann concurred.

Commissioner Bates said that he had reservations on the project presented in 2005. This is too much.

Commissioner Eismann said that the previous project should have been voted down if it was too much back in 2005.

Commissioner Wolf said the proportions and density are what he is opposed to.

Commissioner Eismann said that the omission of the wall had slipped by him. He would like the language about the noise abatement wall put back in.

Commissioner Brown said that "My Region.com" recommends packing development in by the Interstate. Would the applicant accept a lower number of units? The commission could recommend the request for rental units at a lower number.

Commissioner Wolf said that there should be greater transition next to Lake Forest on the west side of the property.

**The vote was 3 – 3 on the motion.** Commissioners Chase, Eismann and Brown voted "yes" while Commissioners Wolf, Tucker, and Bates voted "no."  
**The motion failed.**

Commissioner Tucker said that this application expands the envelope beyond what is acceptable. This is changing fee simple ownership to 3-story, high density rental units. That is a substantial impact on the single-family properties.

**Commissioner Tucker made a motion to recommend denial of the request.**

**Commissioner Wolf seconded the motion.**

Commissioner Brown said that the option of a third motion to send this forward without recommendation is also there.

Kathy Furey-Tran said that there could also be a motion to continue this until a full Board is present to break the tie.

**The vote was 3 – 3 again, with Commissioners Chase, Eismann, and Brown opposed. The motion failed.**

**Commissioner Tucker made a motion to send this application forward to the BCC without recommendation.**

**Commissioner Bates seconded the motion.**

Commissioner Brown said that he would like to see this go forward with 100 less units. Apartments fit here.

**The motion passed 6 – 0.**

**C. Lake Forrest Large Scale Land Use Amendment and Rezone; Shutts & Bowen LLP, James Willard, applicant; 26.8± acres; Large Scale Land Use Amendment from Medium Density Residential (MDR) to High Density Residential (HDR) and Rezone from PUD (Planned Unit Development) to PUD (Planned Unit Development); located on the east side of Oregon Street, approximately a ½ mile north of the intersection of SR 46 and Oregon Street. (Z2007-65 / 08S.FLU02)**

Commissioner Carey - District 5  
Ian Sikonia, Senior Planner

Ian Sikonia stated that this property was previously approved on May 10, 2005 known as the NW 46 PUD which consisted of a town home and condominium project allowing a maximum of 400 units. The specific regulations for these condominium and townhome units were based on the R-3 and R-4 zoning districts. The NW 46 PUD allowed a maximum building height of 2 stories or 35 feet for the subdivision. The Development Order of the NW 46 PUD specifically forbids townhome or condominium units to be used as rental units. The NW 46 PUD and the proposed Lake Forrest PUD are similar in uses but different in regard to intensity and density of the property.

The proposed Lake Forrest PUD is creating a new PUD while maintaining some of the previous conditions of the NW 46 PUD. The NW 46 PUD allowed for a maximum of 400 units while the proposed PUD is allowing for a maximum of 417 units. The Lake Forrest PUD is increasing the approved maximum building height of 35 feet or two stories to 50 feet or three stories. They are also maintaining the same permitted uses of condominium, townhomes, and adding multi-family rental units to the Development Order. The proposed PUD seems to allow for more local housing options for the prospective and existing citizens of Seminole County due to the proximity of Interstate 4 and the numerous employment centers located in nearby Heathrow, Lake Mary and Sanford.

Mr. Sikonia stated that staff is recommending changes to the Development Order: Condition G, replacing "There shall be a minimum of 834 parking spaces located on site" to read "Parking shall be pursuant to the Land Development Code requirement of two spaces per unit." Condition M replacing "will" with "may" in the second sentence, to read: "This may be accomplished by amenitizing the existing retention pond."

Mr. Sikonia said that staff recommendation was for transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) for 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street.

Jim Willard spoke on behalf of the applicant. He gave a short history of the ownership of the tract and stated that market conditions have not supported what

was approved 3 years ago. The market will support multi-family projects. This project will not be low-income housing. The location of the application is a good place for the placement of such a project. 16.5 units per acre with 3 stories in height is typical. This site is next to the interstate, with minimal Oregon Street exposure. What else could go here? This addresses workforce housing. Mr. Willard said that he does not want to put in a sound wall by the interstate. It is too costly. The owner could put a disclosure clause in the lease stating the proximity of the project to the interstate.

Dr. Ira Swartzberg spoke on behalf of the Lake Forest Homeowners Association. He stated that the berm referred to as a buffer is only 15 feet high. In reviewing the various traffic, school, and buffering figures, the report presented had conflicting figures. The Lake Forest Homeowners Association is opposed to this application.

Steve Devine spoke on behalf of the Lake Forest Homeowners Association Board. The HOA is opposed to the rezoning and change to the County Comprehensive Plan. This application is not compatible with the area. The schools cannot serve the influx of population, and the traffic will not be adequately served by the roads and intersections in the area. The current Comprehensive Plan design for the property is good. The density is increasing from 268 to 417 with this project. Silverleaf projected increases from 282 units to 558 dwelling units. Both will give 978 units for the two properties. Mr. Devine said that he was also concerned with the SR 46 intersection. The anticipated I-4 off-ramp is an upcoming problem. He took issue with the traffic study numbers presented. A new study is needed. Traffic numbers varied from 100 additional trips to 677 extra trips.

Mr. Devine also said that the retention pond was being used for open space calculations by both this project and the KB Homes application for Silverleaf. He concluded by stating that the schools were overcrowded and did not have capacity.

Jim Willard said that the retention pond had not been double calculated. Both projects share the pond. There is enough open space using the pond.

Commissioner Tucker said that sound and the wall were an issue here. The wall is not the only answer. It is not enough to say that the interstate is there. Look at the airports. Homes can be sound-fitted. Given the current circumstances, it may be good use, but sound is an issue.

Commissioner Brown said that a third option was to put language in the deed.

Commissioner Tucker said that it should not be incumbent on the public to mitigate sound.



Commissioner Eismann asked how the County could prevent sound walls from being put up at taxpayer expense in the future.

Commissioner Chase said that such things were not going to be approved by the BCC in the future.

Commissioner Tucker said that the sound abatement wall is an FDOT approval, not BCC approval.

Commissioner Wolf asked why soundproofing or a wall should not be included for approval.

Commissioner Tucker added the potential of adding to deed restrictions.

**Commissioner Eismann made a motion to recommend transmittal of the requested Large Scale Future Land Use Amendment from MDR (Medium Density Residential) to HDR (High Density Residential) and rezone from PUD (Planned Unit Development) for 26.8 acres, located on the east side of Oregon Street, approximately ½ mile north of the intersection of SR 46 and Oregon Street with staff findings.**

**Commissioner Chase seconded the motion.**

Commissioner Brown said that this project is HDR next to I-4. That is the place for it.

Commissioner Wolf said that the application lacks transition between I-4 and MDR.

Commissioner Brown said the berm is 15 feet tall and 30 feet at the base.

Tina Williamson said that the width of the berm was not known.

Commissioner Wolf said that there were natural trees there now along the road that could be utilized for a natural buffer.

Commissioner Brown asked what good is accomplished by speaking to the local HOAs.

Commissioner Wolf said that changes could be made prior to finalization.

**The motion failed with a tie vote of 3 - 3.** Commissioners Brown, Eismann, and Chase voted "yes" while Commissioners Bates, Tucker and Wolf were opposed.

**Commissioner Wolf made a motion to send the request to the BCC without a recommendation.**

**Commissioner Bates seconded the motion.**

**The motion passed 6 – 0.**

**D. Lake Doctor / E. Lake Mary Boulevard Rezone; Lake Doctors Inc., Jim Williams, applicant; 2.15± acres; Rezone from A-1 (Agriculture) to M-1 (Industrial); located at the northeast section of the intersection of E. Lake Mary Boulevard and Laura Avenue. (Z2007-62)**

Commissioner Carey - District 5  
Ian Sikonia, Senior Planner

Mr. Sikonia stated the applicant is requesting a rezone from A-1 (Agriculture) to M-1 (Industrial) in order to develop a 15,000 square-foot office and warehouse facility. Lake Doctors Inc. is an aquatic management firm providing a variety of services for lakes, ponds, and other bodies of water. These proposed uses of office and warehouse are allowed within the M-1 (Industrial) zoning district. The Future Land Use Designation of the property is Industrial (IND) which allows the requested zoning district. The subject property is located near the Orlando/Sanford Airport and is surrounded on all sides by the Industrial Future Land Use Designation. Staff has received no letters of opposition. Staff recommendation is for approval of the request to rezone 2.15 acres, located 100 feet north of the intersection of E. Lake Mary Boulevard and Laura Avenue, from A-1 (Agriculture) to M-1 (Industrial).

Greg Crawford was present representing the applicant.

There were no questions from the commissioners or the audience.

**Commissioner Wolf made a motion to recommend approval of the request to rezone 2.15 acres, located 100 feet north of the intersection of E. Lake Mary Boulevard and Laura Avenue, from A-1 (Agriculture) to M-1 (Industrial).**

**Commissioner Bates seconded the motion.**

Commissioner Brown asked if this project would go to the City of Sanford.

Mr. Sikonia said that if the property was in the City of Sanford utility service area they would have to sign a voluntary annexation agreement to connect to the city's water and sewer.

**The motion passed 6 – 0.**

**E. Blake Street Administrative Rezone; Seminole County, applicant; 1.49± acres; Administrative Rezone on 8 lots from R-1 (Single Family Residential) to R-1BB (Single Family Residential) located on the north side of Blake Street, from Sanford Avenue to Marker Street. (Z2007- 68)**

Commissioner Henley – District 4  
Ian Sikonia, Senior Planner

Ian Sikonia introduced the Seminole County application for an administrative rezone from R-1 (SFR Family Dwelling) to R-1BB (SFR Family Dwelling) for 1.49 acres, located on the north side of Blake Street between Sanford Avenue and Marker Street. Mr. Sikonia said that on September 25, 2007 the Seminole County Board of Commissions authorized the staff to proceed with administratively rezoning 1.49 acres located on the north side of Blake Street between Sanford Avenue and Marker Street. Currently, under the Seminole County Land Development Code, the subject lots are non-conforming. The lots do not meet the minimum lot size and width at the building line required by the R-1 zoning district. Administrative rezone of these parcels would reduce or eliminate the need for variances thereby reducing needless expense to the County and the public. The administrative rezone is consistent with the guidelines established in the Vision 2020 Comprehensive Plan of Seminole County to reduce non-conforming zoning. The proposed R-1BB (SFR Family Dwelling) zoning classification requires a minimum lot size of 5,000 square feet and a width at the building line of 50 feet. The Future Land Use designation of the subject property is MDR (Medium Density Residential) which allows the requested zoning district. Staff recommendation is for approval of the request for a rezone from R-1 (SFR Family Dwelling) to R-1BB (SFR Family Dwelling) for 1.49 acres, located on the north side of Blake Street between Sanford Avenue and Marker Street.

Flossie Gilbert stated that she was in favor of the request. She has 4 lots, with her house sitting in the middle of 2 lots. She wants to see a change in the community and needs help.

Cheryl C. Rogers asked for clarification on what was being requested.

Mr. Sikonia explained that changing the zoning allowed for smaller lots and made the lots buildable without variances.

Ms. Rogers stated that she had no objection.

Commissioner Brown asked what would happen now to the lots. Would homes go in there now?

Mr. Sikonia said that this would make the lots buildable without the delay of waiting for variances. It was the County's action that rendered them non-compliant originally, and this action will rectify things.

Commissioner Brown asked if improvements would have to be made to Blake Street in order to build a residence.

Ms. Williamson said that single-family residences would not be required to improve the road. Ms. Williamson said that only a few lots on the street were still vacant.

Commissioner Tucker asked if duplexes were permitted there.

Tina Williamson stated that duplexes were not permitted in this zoning district. This is a single family neighborhood and will remain one.

**Commissioner Tucker made a motion to recommend approval of the request.**

**Commissioner Bates seconded the motion.**

**The motion passed unanimously.**

**F. Alafaya Trail (2880) Administrative Rezone; Seminole County, applicant;** 0.09 ± acres; Administrative Rezone from R-1AA (Single Family Residential) to C-1 (Commercial); located on the west side of Alafaya Trail, 200 feet south of Remington Drive. (Z2007-69)

Commissioner Dallari - District 1  
Ian Sikonia, Senior Planner

Ian Sikonia introduced the request for an administrative rezone from R-1AA (SFR Family Dwelling) to C-1 (Retail Commercial) for 0.09 acres, located on the west side of Alafaya Trail approximately 200 feet south of Remington Street. Mr. Sikonia stated that on September 25, 2007 the Seminole County Board of Commissioners directed staff to proceed with administratively rezoning 0.09 acres as described above. The subject property is surrounded by the PCD (Planned Commercial Development) zoning classification to the north and west. As per the Seminole County Comprehensive Growth Management Plan: Vision 2020, the R-1AA (SFR Family Swelling) zoning classification is not allowed in the Future Land Use Designation of COM (Commercial). The Seminole County Board of Commissioners is proposing the C-1 (Retail Commercial) zoning classification which will bring the property into compliance with the Seminole County Comprehensive Growth Management Plan: Vision 2020. Staff recommendation is for approval.

No one spoke from the audience on this item.

**Commissioner Eismann made a motion to recommend approval of the rezone from R-1AA (SFR Family Dwelling) to C-1 (Retail Commercial) for 0.09 acres, located on the west side of Alafaya Trail approximately 200 feet south of Remington Street.**

**Commissioner Wolf seconded the motion.**

**The motion passed unanimously (6 – 0).**

**G. Lawson Landing Rezone; R&K Construction LLC/ Kevin Roy, applicant; 9.90 ± acres; Rezone from R-1 (Single Family Residential) to R-AH (Affordable Housing); located on the northwest corner of 22nd Street and Jones Avenue. (Z2007-70)**

Commissioner Carey – District 5  
Austin Watkins, Senior Planner

Austin Watkins introduced the application for a rezone from R-1 (Single Family Dwelling District) to R-AH (Affordable Housing). The proposed zoning would allow for a broader variety of affordable housing and work force housing within the County. The future land use designation on the property is Low Density Residential which normally allows for a maximum net buildable density of 4 dwelling units per acre. However, if the R-AH building requirements are met, the County Comprehensive Plan, Future Land Use Policy Section 10.1 allows for an increase of up to 7 dwelling units per net buildable acre. County Affordability parameters must be adhered to as well.

Mr. Watkins stated that the Seminole Comprehensive Plan Policy on Housing 1.6 states that the County shall encourage plan amendments from medium to high density residential on infill parcels where parcels front on collector or arterial right-of-ways and are located near shopping, schools, and work uses and that the parcels are of sufficient size to allow development plans to adequate buffer from surrounding lower density developments. Staff finds that this request fills the basic requirements for affordable housing. The surrounding zoning is R-1, which requires a minimum lot size of 8,400 square feet; the R-AH district requires a minimum lot size of 3,600 square feet for single house size. The R-AH district requires a rear yard buffer on exterior properties to for separation from the surrounding single-family district. Staff finds that this application meets the intent of Policy HSG 1.6.

Further requirements of the Seminole County Land Development Code Section 2.89 state that 40% of the development be available to low income and no less than 100% be available to moderate income. The maximum sale prices are set by the Seminole County SHIP Local Housing Assistant Plan. Mr. Watkins then

reviewed the pricing options and formulas for qualification based on area median income (AMI) for purchase of the homes in the proposed subdivision. An affordability agreement shall be submitted with the application for purchase.

One of the Development Order requirements states that an affidavit shall be submitted certifying that the house was sold within the affordability parameters of the agreement. Also the houses will be sold or rented to qualified families for a period of no less than 10 years. This will keep the properties from being purchased and then resold for profit. Monetary penalties are included in the development agreement if the conditions are not met.

Minor changes to the development order include:

Page 2 – condition E: Add the words “very low “ before “low” or moderate.

Staff recommendation is for approval of the request for rezone from R-1 (Single Family Residential) to R-AH (Affordable Housing) located on the northwest corner of 22nd Street and Jones Avenue and approval of the development order.

Jim Dumbrowsky was present for the applicant and concurred with staff recommendations.

Charles Cash, Jr. of 3300 W. 20<sup>th</sup> Street said that he had questions on the density. This is in the middle of single family homes. He lives across from the site of the application. He is concerned about the traffic in the area and would like to have more information. At present he would be opposed to this application.

Lilli Roberson of 218 Brightview Drive said that she owns rental property across from the site of the application. She wanted to know more about the definition of affordable housing.

Mr. Watkins stated that the net density on the project is 7 homes per net buildable acre. Mr. Watkins stated that the applicant is requesting single family houses, as shown on their Preliminary Subdivision Plan. There will be conventional and zero lot line plans used.

Commissioner Wolf stated that the house sizes in the development will be the same as those found in the area. Only the lot sizes are being reduced. With smaller lots, more houses can go into the neighborhood.

Mr. Watkins stated that they are planning for 60 homes, depending on how the lot lines are drawn.

Commissioner Wolf asked how many homes could have gone in with the R-1 zoning.

Mr. Watkins stated that approximately 40 homes would be built with R-1 zoning.

Commissioner Eismann added that the new zoning will restrict the sale price of the homes.

Ms. Roberson asked what the sale prices of the homes would be.

Mr. Watkins stated that the prices would be as established by the local SHIP office: \$193,000. for very low income, \$234,000. for low income, and \$242,000. for moderate income. For a family of 4: very low income is considered to be \$28,700. per year; for a family of 4 with low income: \$45,900; and moderate income is considered to be \$68,880.

Commissioner Wolf asked about resale conditions.

Commissioner Brown said that a recommendation was made for the house to be kept for a period of no less than 10 years.

Mr. Watkins said that if the home is sold before the 10 year period, the home would have to be sold to someone in the same, low income category.

Ms. Roberson asked if the program was like Habitat for Humanity.

Ms. Williamson stated that it was the same intent – to keep things affordable.

Ms. Roberson asked what kind of houses they would be. Would they be townhomes?

Mr. Dumbrowsky said that the homes would be single-family detached homes. As for the traffic on 20<sup>th</sup> Street, it will be brought up to County standards.

Kevin Roy said that 20<sup>th</sup> Street is a 24-foot wide street. The Jones Avenue is a 20 foot street which will be widened to 24 feet. The exit from the subdivision will be onto Jones.

Justin Roberson asked about the water use. He lives at 2015 Jones Avenue and is on well water. What will the new development do for water.

Mr. Watkins said that the applicant will be required to tie in to the City of Sanford service for water and sewer.

Mr. Roberson asked if the whole area would be required to hook in to the system.

Commissioner Brown said that those outside the subdivision would not be required to tie in to the City water lines.

Commissioner Tucker asked Mr. Watkins about the location of the proposed development being adjacent to a major collector roadway.

Mr. Watkins said that while it does not have direct access to Airport Boulevard, but its proximity to the requisite criteria qualifies it.

Commissioner Tucker said that it was a subjective view.

Mr. Watkins said that the Comprehensive Plan requires frontage on a collector road, which this project has. The project will not be accessing the collector directly.

Commissioner Tucker said that the intent was to have direct access. Commissioner Tucker asked if Mr. Watkins had statistics on the amount of owner occupied parcels in the area.

Mr. Watkins did not have that information.

Ms. Williamson said that such information was not required by the Land Development Code.

Commissioner Tucker was also looking to see the minimum requirements for a 4 person dwelling for the size of bedrooms and minimum number of baths.

Ms. Williamson stated that the criterion used come from the Land Development Code and the Comprehensive Plan.

**Commissioner Eismann made a motion to recommend approval of the rezone of 9.90 ± acres from R-1 (Single Family Residential) to R-AH (Affordable Housing); located on the northwest corner of 22nd Street and Jones Avenue and recommend approval for the development order, including the amendments introduced tonight.**

**Commissioner Chase seconded the motion.**

**The motion passed 6 – 0.**

**H. 500 Faith Terrace RP Rezone; Rolly Ray Reel, applicant; 0.227 ± acre; Rezone from RP (Residential Professional) to RP (Residential Professional); located on the southwest corner of Faith Terrace and Maitland Avenue. (Z2007-75)**

Commissioner Henley - District 4  
Austin Watkins, Senior Planner



Mr. Watkins stated that the property had been rezoned in September of 2006 to RP (Residential Professional) for an audiology office. At this time the applicant requests the use of general and professional offices. Staff recommendation is for approval for the request for a rezone from RP (Residential Professional) to RP (Residential Professional); located on the southwest corner of Faith Terrace and Maitland Avenue and approval of the attached development order. The following recommendations are to be included in the development order: No more than 6 employees be present on the site at once due to parking constraints. Stacked parking spaces are for employees only. Medical and dental offices as well as clinics and labs are prohibited uses due to parking constraints.

Commissioner Wolf asked for an explanation of stacked parking.

Commissioner Brown explained the concept.

Mr. Reel, owner of the property, said that he wanted to move to a general use, rather than a specific use at this time.

There were no questions from the audience.

Commissioner Brown asked what allowable uses would be.

Mr. Watkins said that OP uses such as realtor, accountant, or attorney's offices would be allowed.

**Commissioner Chase made a motion to recommend approval of the rezone from RP (Residential Professional) to RP (Residential Professional) of 0.227 ± acre located on the southwest corner of Faith Terrace and Maitland Avenue and recommend the associated site plan and development order as amended at this hearing.**

**Commissioner Bates seconded the motion.**

**The motion passed 6 – 0.**

Chairman Brown asked for approval of the meeting dates for 2008 to early 2009.

After a brief discussion the commissioners approved the 2008 – Early 2009 calendar, with 12 monthly meetings for 2008.

The meeting adjourned at 9:15 P.M.

Respectfully submitted,  
Candace Lindlaw-Hudson  
Clerk to the Commission